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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 ABHINAV BHATNAGAR,

No. C 07-02669 CRB

12 Plaintiff,

ORDER

13 v.

14 JASON INGRASSIA,

15 Defendant.
16 _____/

17 In this section 1983 action a jury found in favor of defendants on all claims for relief.
18 Defendants subsequently moved for an award of attorneys' fees and for sanctions against
19 plaintiff's counsel. The Court denied the motion for sanctions, but ruled that defendants are
20 entitled to collect from plaintiff their fees incurred in defense of plaintiff's claim that
21 defendant Ingrassia made harassing telephone calls to plaintiff. The parties met and
22 conferred on the amount of those fees, and now pending before the Court are the parties'
23 respective submissions on the appropriate amount of fees.

24 After carefully considering the parties' submissions, the Court concludes that plaintiff
25 shall pay defendant Ingrassia \$20,000 and defendants Contra Costa County and the City of
26 San Ramon \$12,000. The Court finds that time incurred in connection with plaintiff's other
27 claims of harassment, including the second stop and the alleged harassment of Richard Ha,
28 are not recoverable; the Court's order is limited to fees arising from the claim of the
harassing telephone calls. As Ingrassia's counsel stated in open court, the defense did not

1 focus on the telephone calls until they became the means by which the prior proceedings
2 became relevant and admissible. On the other hand, as the motion for attorneys' fees was
3 partially successful, some time incurred in connection with that motion is recoverable. Also,
4 while time spent discrediting plaintiff's testimony was relevant to all of plaintiff's claims, it
5 was also directly relevant to the claim of the harassing telephone calls.

6 Accordingly, plaintiff shall pay defendant Ingrassia \$20,000 and defendants Contra
7 Costa County and the City of San Ramon \$12,000.

8 **IT IS SO ORDERED.**

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11 Dated: August 5, 2009



12 CHARLES R. BREYER
13 UNITED STATES DISTRICT JUDGE
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